

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

WILLIAM NOSTHEIDE,

Plaintiff,

v.

CLARIGENT CORPORATION, et al.,

Defendants.

Case No. 1:24-cv-00344

MATTHEW W. MCFARLAND

**MOTION FOR LEAVE TO WITHDRAW AS COUNSEL FOR
DEFENDANT DONALD WRIGHT, JR.**

Pursuant to Local Rule 83.4(b), Todd Seaman and Jessica MacKeigan, of the law firm of Thompson Hine LLP, as counsel for Defendant Donald Wright, Jr. (“Wright”), respectfully move for leave to withdraw as counsel of record for Clarigent. Pursuant to Local Rule 83.4(b)(i), counsel for Wright has provided prior written notice to Wright regarding this request to withdraw as counsel, and through this filing, notice is also provided to all counsel of record in the case.

Good cause exists for granting this Motion. Ohio Rule of Professional Conduct 1.16(a)(5) permits counsel to withdraw from then representation if a client fails substantially to fulfill their financial obligation to the lawyer and has been provided reasonable warning that the lawyer will withdraw unless the obligation is satisfied. Additionally, Ohio Rule of Professional Conduct 1.16(b)(6), permits a lawyer to withdraw if the representation will result in an unreasonable financial burden on the lawyer. Further, Ohio Rule of Professional Conduct 1.16(b)(7) authorizes counsel to withdraw from the representation when the client provides informed consent.

Mr. Seaman and Mrs. MacKeigan are permitted to withdraw from this matter pursuant to the foregoing Ohio Rules of Professional Responsibility. Specifically, Wright does not have the financial resources to pay undersigned counsel and has failed to pay his outstanding invoices for

attorney's fees and expenses incurred in defense of this matter. Undersigned counsel has thoroughly discussed this request to withdraw with Wright, and Wright has provided informed consent to and has no objection to the withdrawal. Moreover, no party will be prejudiced by the granting of this Motion as the litigation is currently in the early stages of discovery and there is sufficient time for Wright to retain new counsel, if he so desires.

For all the foregoing reasons, Mr. Seaman and Mrs. MacKeigan respectfully request to withdraw as counsel for Defendant Donald Wright, Jr. A Proposed Order is attached as Exhibit A hereto for the Court's consideration.

Dated: February 24, 2025

Respectfully submitted,

/s/ Todd M. Seaman

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**ATTORNEYS FOR DEFENDANTS
CLARIGENT CORPORATION AND
DONALD WRIGHT, JR.**

CERTIFICATE OF SERVICE

I hereby certify that on February 24, 2025, a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's system.

/s/ Jessica MacKeigan
One of the Attorneys for Defendant
Clarigent Corporation

EXHIBIT A

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[PROPOSED ORDER]

This matter came before the Court upon the motion of Todd M. Seaman and Jessica L. MacKeigan of Thompson Hine LLP for leave to withdraw as counsel on behalf of Defendant Donald Wright, Jr., and for good cause being shown, it is ORDERED:

1. Todd M. Seaman and Jessica L. MacKeigan's Motion for Leave to Withdraw as counsel for Defendant Donald Wright, Jr. is granted.
2. Defendant Donald Wright, Jr. has [NUMBER OF DAYS] days to retain new counsel.

ENTERED:

JUDGE MATTHEW W. MCFARLAND

DATE: _____